REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-3, 5-12, 15 and 17-20 are pending in this application. Claim 20 is amended by the present amendment. Support for amended Claim 20 can be found in the original specification, claims and drawings.[1] No new matter is presented.

This amendment is submitted in accordance with 37 C.F.R. § 1.116 which after final rejection permits entering of amendments canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, or presenting rejected claims in better form for consideration on appeal. The present amendment complies with a requirement of form set forth in the outstanding Office Action by clarifying Claim 20 to recite a "computer readable storage medium" instead of a "computer readable recording medium," as recommended in the Office Action. No new matter has been added, and this amendment does not raise new issues requiring further consideration and/or search. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. §1.116.

In the Office Action, the specification was objected to; Claim 20 was rejected under 35 U.S.C. § 101; Claims 1 and 3-20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Miyazaki et al. (U.S. Pub. 2003/0212828, herein Miyazaki) in view of Wang et al. (U.S. Pat. 6,415,154, herein Wang); and Claim 2 was rejected under 35 U.S.C. § 103(a) as unpatentable over Miyazaki in view of Wang and Togashi et al. (JP 2001-297062, herein Togashi).

The Office Action objected to the specification, and rejected Claim 20 under 35 U.S.C. § 101 because "one of ordinary skill in the art could reasonably construe that the claimed computer readable recording medium included both storage media and transmission

[1] E.g., specification, p. 8 paragraph [0020].

media..." In response, Claim 20 is amended, as recommended in the Office Action, to recite a "computer readable storage medium" to clarify that the claim is directed to the storage media listed at p. 8, paragraph [0020] of the specification.

Accordingly, Applicants respectfully request that the objection to the specification, and the rejection of Claim 20 under 35 U.S.C. § 101, be withdrawn.

Claims 1 and 3-20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Miyazaki in view of Wang. Applicants respectfully traverse this rejection, as independent Claims 1, 15 and 20 recite novel features clearly not taught or rendered obvious by the applied references, and it would not have been obvious to one of ordinary skill in the art to combine Miyazaki and Wang to arrive at the pending claims.

Independent Claim 1, for example, recites a time certification server, comprising:

> a receiving section configured to receive, from a terminal apparatus, an issue request for a time certification code and terminal information relating to the terminal apparatus, the terminal information including position information of the terminal apparatus obtained by measuring a position of the terminal apparatus;
>
> a temporal change information input section configured to input temporal change information;
>
> a first code generating section configured to generate a first code by encoding the temporal change information, and output the first code;
>
> a second code generating section configured to generate a second code based on the received terminal information and the first code, and output the second code;
>
> ***a transmitting section configured to transmit to the terminal apparatus the second code as a time certification code***;
>
> a time certification code memory section configured to store the time certification code in correlation with time; and
>
> a certification processing section configured to receive the time certification code from the terminal apparatus, search the time certification code memory section using the time certification code received to obtain time correlating with the time certification code, and output certification information based on the time obtained to the terminal apparatus.

Independent Claims 15 and 20, while directed to alternative embodiments, recite similar features. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 1, 15 and 20.

As described in an exemplary embodiment at Fig. 8 of the specification, the terminal apparatus transmits a request including terminal information to the time certification server for a time certification code. The server then combines the terminal information and temporal information (e.g., weather information) to generate a complete code (e.g., first code), which is processed to generate an output reference code (e.g., second code) that serves as the time certification code. The time certification server then transmits the time certification code to the terminal apparatus and stores the code for subsequent time code certification requests from the terminal apparatus. Thus, the time certification code is generated and stored at the time certification server, and certification is performed by transmitting the generated code from the terminal apparatus back to the time certification server.

Turning to the applied primary reference, Miyazaki describes a time stamp generating system that includes a time distribution server 102 for generating time data depending on time and a user PC 103 for holding time certification objective digital data. The time distribution server 102 generates time data corresponding to a time point and distributes the time data, and the user PC 103 calculates time stamp data by using the time certification objective data as an input, acquires the time data generated by the time distribution server, and processes the time data on the basis of the time stamp generating data to obtain a time stamp.[2]

Miyazaki, however, fails to teach or suggest a time certification server that "receives, from a terminal apparatus, an issue request ***for a time certification code***... generates a first code by encoding temporal change information... generates a second code based on the received terminal information and the first code... and ***transmits to the terminal apparatus the second code as a time certification code***," as recited in independent Claim 1.

[2] Miyazaki, Abstract.

More specifically, Figs. 7 and 12 of Miyazaki describe examples of interactions between a user PC 103 and a time stamp verification server 104. These figures show that the initial request transmitted from the user PC 103 is a request for time stamp verification from the time stamp verification server 104, and not a ***request for a time certification code***, as recited in Claim 1. As depicted in Fig. 6 and described in paragraphs [0064]-[0071] of Miyazaki, the user PC 103 is the entity that generates a time stamp based on data obtained from a time distribution server 102. Then as described in Figs. 7 and 12, the user PC 103 transmits a time stamp verification request to the time stamp verification server 104, and receives either a "verification success" or "verification failure" message from the verification server 104.

Thus, the time stamp verification server 104 of Miyazaki does not receive, from a terminal apparatus (e.g., PC 103), an issue request ***for a time certification code***, as recited in Claim 1. Instead, as discussed above, and as described at Figs. 7 and 12 and paragraphs [0077] and [0155] of Miyazaki, the user PC 103 merely transmits digital data D and time stamp TS to the time stamp verification server 104 through a network 101 to make a request for verification. Further, as noted above, Fig. 6 of Miyazaki describes that the user PC 103 already generates the time stamp on its own based on data obtained from a time distribution server 102. Thus, there is no reason for the user PC 103 to receive, from a terminal apparatus (e.g., PC 103), an issue request ***for a time certification code***, as recited in Claim 1.

Claim 1 further recites that the time certification server "generates a first code by encoding temporal change information... generates a second code based on the received terminal information and the first code... and ***transmits to the terminal apparatus the second code as a time certification code***," in response to the received request for a time certification code. In contrast, as discussed above, Miyazaki fails to teach or suggest that the time stamp verification server receives a request for a time verification, much less that the time stamp

verification server 104 actually generates a time certification code by generating the first and second codes recited in Claim 1. More particularly, as described in Figs. 7 and 12 and paragraphs [0083] and [0166], the user PC 103 transmits a time stamp verification request to the time stamp verification server 104, and receives either a "verification success" or "verification failure" message from the verification server 104. Thus, the result of the interaction between the user PC 103 and the time stamp verification server 104 in Miyazaki is merely a success or failure notification, and not a ***second code as a time certification code*** which is generated based on a first code and a second code, as recited in independent Claim 1.

Therefore, Miyazaki fails to teach or suggest a time certification server that "receives, from a terminal apparatus, an issue request ***for a time certification code***... generates a first code by encoding temporal change information... generates a second code based on the received terminal information and the first code... and ***transmits to the terminal apparatus the second code as a time certification code***," as recited in independent Claim 1.

Further, p. 5 of the Office Action concedes that Miyazaki "does not teach wherein the terminal information includes position information of the terminal apparatus obtained by measuring a position of the terminal apparatus." In an attempt to remedy this deficiency, the Office Action relies on Wang and asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to arrive at Applicants' claims. Applicants respectfully traverse this assertion.

The Office Action asserts that it would have been obvious to "include location information in the data D transmitted from the terminal apparatus in Miyazaki, since Wang states at column 1, lines 23-28 that including the location information would help reduce code shift search time in GPS systems." Thus, this cited portion of Wang merely describes how it is beneficial to send auxiliary GPS information from a mobile station to a cellular

telephone network, and has nothing to do with using such information to generate a first and second code to output the second code as a time certification code, as claimed.

Moreover, Miyazaki describes a system in which a user PC 103, which is generally a stationary apparatus, generates a time stamp locally based on received information and transmits the generated time stamp and data D to a time stamp verification server 104 for verification. Thus, Miyazaki does not describe that "reduc[ing] code shift search time in GPS systems" is a goal in his system, whatsoever, as asserted in the Office Action.

Accordingly, for at least the reasons discussed above, Applicants respectfully request that the rejection of independent Claims 1, 15 and 20 (and the claims that depend therefrom) under 35 U.S.C. § 103 be withdrawn.

With regard to the rejection of Claim 2 under 35 U.S.C. §103(a) as unpatentable over Miyazaki in view of Wang and Togashi, Applicants note that Claim 2 depends from Claim 1 and is believed to be patentable for at least the reasons discussed above. Further, Togashi fails to remedy the above noted deficiency of Miyazaki and Wang.

Accordingly, Applicants respectfully request that the rejection of Claim 2 under 35 U.S.C. §103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-3, 5-12, 15 and 17-20 patentably define over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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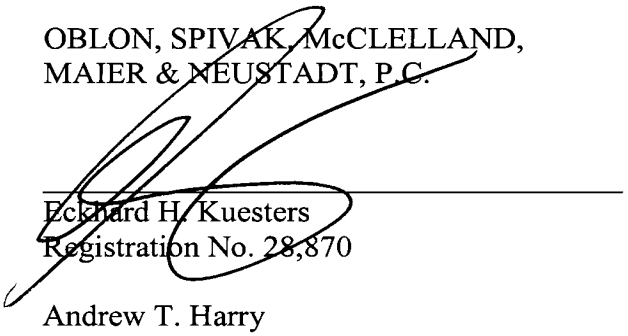

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